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| SERIAL NUMBER | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. |
|---------------|-------------|----------------------|---------------------|
| 08/243,046 | 05/16/94 | BRANSCOMB H | ADIN79143MAH |

24M1/1030

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EXAMINER

LUU, M

ART UNIT

PAPER NUMBER

2415

DATE MAILED: 10/30/96

This is a communication from the examiner in charge of your application.
COMMISSIONER OF PATENTS AND TRADEMARKS

☐ This application has been examined ☒ Responsive to communication filed on 7-19-96 ☐ This action is made final.

A shortened statutory period for response to this action is set to expire three month(s), days from the date of this letter.
Failure to respond within the period for response will cause the application to become abandoned. 35 U.S.C. 133

Part I THE FOLLOWING ATTACHMENT(S) ARE PART OF THIS ACTION:

- | | |
|---|--|
| 1. <input type="checkbox"/> Notice of References Cited by Examiner, PTO-892. | 2. <input type="checkbox"/> Notice re Patent Drawing, PTO-948. |
| 3. <input type="checkbox"/> Notice of Art Cited by Applicant, PTO-1449. | 4. <input type="checkbox"/> Notice of Informal Patent Application, Form PTO-152. |
| 5. <input type="checkbox"/> Information on How to Effect Drawing Changes, PTO-1474. | 6. <input type="checkbox"/> |

Part II SUMMARY OF ACTION

1. ☒ Claims 1-4, 6-11, and 13 are pending in the application.

Of the above, claims _____ are withdrawn from consideration.

2. ☐ Claims _____ have been cancelled.

3. ☐ Claims _____ are allowed.

4. ☒ Claims 1-4, 6-11, and 13 are rejected.

5. ☐ Claims _____ are objected to.

6. ☐ Claims _____ are subject to restriction or election requirement.

7. ☐ This application has been filed with informal drawings under 37 C.F.R. 1.85 which are acceptable for examination purposes.

8. ☐ Formal drawings are required in response to this Office action.

9. ☐ The corrected or substitute drawings have been received on _____. Under 37 C.F.R. 1.84 these drawings are ☐ acceptable. ☐ not acceptable (see explanation or Notice re Patent Drawing, PTO-948).

10. ☐ The proposed additional or substitute sheet(s) of drawings, filed on _____ has (have) been ☐ approved by the examiner. ☐ disapproved by the examiner (see explanation).

11. ☐ The proposed drawing correction, filed on _____, has been ☐ approved. ☐ disapproved (see explanation).

12. ☐ Acknowledgment is made of the claim for priority under U.S.C. 119. The certified copy has ☐ been received ☐ not been received
☐ been filed in parent application, serial no. _____; filed on _____

13. ☐ Since this application appears to be in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11; 453 O.G. 213.

14. ☒ Other this is a supplemental action replacing that mailed 4/16/96

EXAMINER'S ACTION

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Part III DETAILED ACTION

Claim Rejections - 35 USC § 112

1. The following is a quotation of the first paragraph of 35 U.S.C. § 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

The specification is objected to under 35 U.S.C. § 112, first paragraph, as failing to comply with the description requirement (NEW MATTER SITUATIONS) since the specification, as originally filed, does not provide support for the invention as is now claimed.

The new matters added to claim 1, "including a first program routine" and "including a second program routine" are not supported in the specification as originally filed.

The new matters added to claims 7 and 10, "executing a program which assembles and displays" and "executing a program which associates" are not supported in the original specification as originally filed.

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2. Claims 1-4, 6-11, and 13 are rejected under 35 U.S.C. § 112, first paragraph, for the reasons set forth in the objection to the specification.

Dependent claims are considered rejected for incorporating the defects from their respective parent claims by dependency.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. § 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --
(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claims 1, 2, and 7-9, as best understood; are rejected under 35 U.S.C. § 102(b) as being anticipated by Naimark et al. (4,857,902).

Regarding claims 1 and 7, Naimark discloses (Figs. 1, 2, and 5) an apparatus for assembling content addressable video which comprising:

a video storage (51)(frame buffer);

tag storage (Fig. 1)(data space);

processing resources (50)(computer); and

logic executed by the processing positions (the data space table)(col. 8, lines 44-63).

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Regarding claims 2 and 8, Naimark discloses (fig. 5) means for selecting a position (53) (trackball), and means (50) (computer) for accessing the frames of video data in the storage means (510) (frame buffer).

Regarding claim 9, Naimark further discloses (figs. 1 and 2) the subset of the plurality of frames (N14, N15, N8, N9) is the subset of frame (N4).

5. Claims 3, 6, 10, and 13 are rejected under 35 U.S.C.

§ 102(e) as being anticipated by Morgan (4,992,886).

Regarding claims 3 and 10, Morgan discloses (Figs. 1 and 2) and apparatus for generating content addressable video, comprising:

a content image display (fig. 2) (touch screen 30) which displays a content video image representative of an organization of content addressable video,

controller (processor 20) (video switcher 32) for generating control signals (col. 3, lines 34-58);

controllable video image generator remote cameras 80 and controllers 34) for generating frames of video data (col. 3, lines 34-58); and

the data processing resources (20) for associating frames of video data generated by the controllable video generator (80) (34).

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Morgan further discloses (figs. 1 and 2) a video storage (processor), couples to the controllable video image generator (80)(34), for storing frames of video data generated by controllable video image generator (col. 3, lines 42-48);

data processing resources (processor 20) coupled to the controllable video image generator (80)(34) and the controller (32)(20) for associating the address of each frame of video data with a position in the content video image (col. 3, line 34-58).

Regarding claims 6 and 13, morgan discloses (figs. 1 and 2~~0~~) means for selecting a position in the content video image (20)(44), and means (processor 20) for accessing the frames of video data in the storage means in response to selected positions (col. 2, line 63 to col. 3, line 19).

Claim Rejections - 35 USC § 103

6. The following is a quotation of 35 U.S.C. § 103 which forms the basis for all obviousness rejections set forth in this Office action:

A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Subject matter developed by another person, which qualifies as prior art only under subsection (f) or (g) of section 102 of this title, shall not preclude patentability under this section where the subject matter and the claimed invention

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were, at the time the invention was made, owned by the same person or subject to an obligation of assignment to the same person.

7. Claims 4 and 11 are rejected under 35 U.S.C. § 103 as being unpatentable over Morgan (4,992,866) in view of International Conference on Advanced Robotics (85 ICAR) Toshiba Corporation (September 13, 1985).

Claims 4 and 11 are considered rejected as set forth above regarding to claims 3 and 10 with the exception of robot mounted video camera.

However, Toshiba Corporation discloses (fig. 4) a robot mounted video camera which is controlled by the computer input device (tablet). It would have been obvious to incorporate the robot mounted video camera of Toshiba Corporation into the camera selection and positioning system of Morgan since this is well known in the art.

Response to Amendment

8. Applicant's arguments filed August 19, 1996 have been fully considered but they are not deemed to be persuasive.

The Examiner objected to the specification and rejected claims 1-4, 6-11 and 13 under 35 U.S.C. 112, first paragraph, on the basis of NEW MATTER SITUATIONS. See the rejection as set forth above.

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Conclusion

9. Any inquiry concerning this communication should be directed to Matthew Luu at telephone number (703) 305-4850.

M. Luu: ML

October 25, 1996


MARK R. POWELL
SUPERVISORY PATENT EXAMINER
ART UNIT 2415